## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

| ANGELA M. GAHAN,                 | ) |                      |
|----------------------------------|---|----------------------|
|                                  | ) |                      |
| Plaintiff,                       | ) |                      |
|                                  | ) |                      |
| V.                               | ) | No. 4:09-CV-1982 CAS |
|                                  | ) |                      |
| MICHAEL J. ASTRUE,               | ) |                      |
| Commissioner of Social Security, | ) |                      |
|                                  | ) |                      |
| Defendant.                       | ) |                      |
|                                  |   |                      |

## **ORDER**

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge David D. Noce filed November 24, 2010. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the Court grant plaintiff's request to reverse the decision of the Commissioner and remand the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Neither party has filed an objection to the recommendation.

After careful review of the matter, the Court concurs with the recommendation of the Magistrate Judge that the Commissioner's decision in this matter should be reversed and this case remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States

Magistrate Judge is sustained, adopted and incorporated herein. [Doc. 17]

IT IS FURTHER ORDERED that the decision of the Commissioner is REVERSED.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner for further proceedings consistent with the Report and Recommendation.

An appropriate judgment of remand will accompany this order.

**CHARLES A. SHAW** 

UNITED STATES DISTRICT JUDGE

Dated this 7th day of January, 2011.